## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE LINERBOARD ANTITRUST LITIGATION	)	
THIS DOCUMENT RELATES TO:	/ ) )	MDL No. 1261
ALL ACTIONS (Civil Action Nos. 98-5055 and 99-1341)	) )	Hon. Jan E. DuBois

## CLASS COUNSEL'S OPPOSITION TO THE APPEAL OF HERITAGE CONTAINER, INC.

Class counsel opposes the appeal of Heritage Container because the excuse proffered represents neglect, not excusable neglect. ("We unknowingly did not submit the claim due to miscommunication in our office...").

Respectfully submitted,

/s/ Howard Langer (HL734)
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Plaintiffs' Liaison Counsel for All Actions And Lead Counsel for the Corrugated Box Plaintiffs

Dated: August 19, 2005

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	)	

### **CERTIFICATE OF SERVICE**

I hereby certify that on August 19, 2005 a true and correct copy of Class Counsel's Opposition to the Appeal of Heritage Container, Inc. was served upon counsel and interested parties listed below in the manner indicated.

#### VIA First Class, U.S. Mail

Sherry A. Swirsky Schnader Harrison Segal & Lewis LLP 1600 Market Street, Suite 3600 Philadelphia, PA 19103-7286

Lenet Derksen, CFO Heritage Container, Inc. 2430 S. Grand Avenue Santa Ana, CA 92705

/s/ Howard Langer	(HL734)
Howard Langer	, , , ,